

Panaji, 21st March, 1974 (Phalguna 30, 1895)

SERIES I No. 51

OFFICIAL GAZETTE



GOVERNMENT OF GOA, DAMAN AND DIU

GOVERNMENT OF GOA, DAMAN AND DIU

Law and Judiciary Department

Notification

LD/Bill/1/74

The following Act passed by the Legislative Assembly of Goa, Daman and Diu which received the assent of the Administrator of Goa, Daman and Diu on 16th March, 1974 is hereby published for general information.

THE GOA, DAMAN AND DIU SUPPLEMENTARY APPROPRIATION ACT, 1974

(Act No. 1 of 1974) [16th March, 1974]

An Act to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of the Union territory of Goa, Daman and Diu for the services and purposes of the financial year 1973-74.

BE it enacted by the Legislative Assembly of Goa, Daman and Diu in the Twenty fifth Year of the Republic of India as follows:—

1. **Short title.**— This Act may be called the Goa, Daman and Diu Supplementary Appropriation Act, 1974.

2. **Issue of Rs. 2,44,25,400 out of the Consolidated Fund of the Union territory of Goa, Daman and Diu for the financial year 1973-74.**— From and out of the Consolidated Fund of the Union territory of Goa, Daman and Diu there may be paid and applied sums not exceeding those specified in column 5 of the Schedule amounting in the aggregate to the sum two crores, forty four lakhs, twenty five thousand and four hundred rupees towards defraying the several charges which will come in course of payment during the financial year 1973-74 in respect of the services and purposes specified in column 2 of the Schedule.

3. **Appropriation.**— The sums authorised to be paid and applied from and out of the Consolidated Fund of the Union territory of Goa, Daman and Diu, by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

THE SCHEDULE

(See Sections 2 and 3)

No. of Vote	Services and purposes	Sums not exceeding		
		Voted by Assembly	Charged on the Consolidated Fund of the Union territory of Goa, Daman and Diu	Total
1	2	3	4	5
		Rs.	Rs.	Rs.
—	Interest on Debt and Other Obligations	—	49,71,000	49,71,000
9.	General Administration	3,95,000	—	3,95,000
12.	Police	13,01,000	—	13,01,000
14.	Scientific and Education Departments	85,15,100	3,900	85,19,000
15.	Medical and Public Health Services ...	11,13,000	—	11,13,000
17.	Cooperation and Community Development	1,00,900	—	1,00,000
19.	Miscellaneous, Social and Developmental Organisations ...	300	—	300
20.	Irrigation, Navigation, Embankment and Drainage Works and Electricity Schemes ...	19,59,000	—	19,59,000
21.	Public Works	13,40,000	—	13,40,000
23.	Pensions and Other Retirement Benefits	8,68,000	—	8,68,000
25.	Miscellaneous (including Miscellaneous, Compensations and Assignments)	1,38,000	—	1,38,000
28.	Capital Outlay on Industrial and Economic Development	37,21,000	—	37,21,000
35.	Loans and Advances	100	—	100
	TOTAL	1,94,50,500	49,74,900	2,44,25,400

AN
ACT

to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of the Union Territory of Goa, Daman and Diu for the services and purposes of the Financial Year, 1973-74.

(As passed by the Legislative Assembly
of Goa, Daman and Diu).

Secretariat,
Panaji,
16th March, 1974.

B. M. MASURKAR
Secretary to the Government of Goa,
Daman and Diu, Law and Judiciary
Department

Notification

LD/Bill/2/74

The following Act passed by the Legislative Assembly of Goa, Daman and Diu which received the assent of the Administrator of Goa, Daman and Diu on 16th March, 1974 is hereby published for general information.

**THE GOA, DAMAN AND DIU APPROPRIATION
(EXCESS EXPENDITURE) ACT, 1974**

(Act No. 2 of 1974) [16th March, 1974]

An Act to provide for the authorisation of appropriation of moneys from and out of the Consolidated Fund of the Union Territory of Goa, Daman and Diu to meet the amounts spent on certain services during the year 1970-71 in excess of the amounts granted for those services and for that period.

BE it enacted by the Legislative Assembly of Goa, Daman and Diu in the Twenty fifth year of the Republic of India as follows:—

1. **Short title.**—This Act may be called the Goa, Daman and Diu Appropriation (Excess Expenditure) Act, 1974.

2. **Issue of Rs. 10,36,310 out of the Consolidated Fund of the Union Territory of Goa, Daman and Diu to meet excess expenditure for the year 1970-71.**—From and out of the Consolidated Fund of the Union Territory of Goa, Daman and Diu, the sums specified in column 5 of the Schedule amounting in the aggregate to the sum of ten lakhs, thirty six thousand, three hundred and ten rupees shall be deemed to have been authorised to be paid and applied to meet the amount spent for defraying the charges in respect of the services specified in column 2 of the Schedule for the year 1970-71 in excess of the amounts granted for those services and for that period.

3. **Appropriation.**—The sums deemed to have been authorised to be paid and applied from and out of the Consolidated Fund of the Union Territory of Goa,

Daman and Diu under this Act, shall be deemed to have been appropriated for the services and purposes expressed in the Schedule for the year 1970-71.

THE SCHEDULE

(See Sections 2 & 3)

No. of Vote	Services and purposes	Voted by Assembly	Sums not exceeding	
			Charged on the Consolidated Fund of the Union territory of Goa, Daman and Diu	Total excess/over grants/appropriation
1	2	3	4	5
15	Education	8,42,627	—	8,42,627
16	Medical	1,07,898	—	1,07,898
22	Community Development Projects, National Extension Service and Local Development Works ...	76,288	—	76,288
26	Electricity Schemes	228	—	228
45	Capital Outlay on Forests	9,269	—	9,269
	Total	10,36,310	—	10,36,310

AN

ACT

to provide for the authorisation of appropriation of moneys from and out of the Consolidated Fund of the Union territory of Goa, Daman and Diu to meet the amount spent on certain services and purposes during the year 1970-71 in excess of the amounts granted for those services and for that period.

(As passed by the Legislative Assembly
of Goa, Daman and Diu)

Secretariat,
Panaji,
16th March, 1974.

B. M. MASURKAR
Secretary to the Government of Goa,
Daman and Diu, Law and Judiciary
Department

Legislative Assembly of Goa, Daman and Diu

Legislature Department

Notification

LA/B/7/446/74

The following Bill which was introduced in the Legislative Assembly of Goa, Daman and Diu on 12th March, 1974 is hereby published for general information in pursuance of the provisions of Rule 136 of the Rules of Procedure and Conduct of Business of the Legislative Assembly.

The Goa, Daman and Diu Salaries and Allowances of the
Speaker and Deputy Speaker (Amendment) Bill, 1974

(Bill No. 3 of 1974)

A
BILL

further to amend the Goa, Daman and Diu Salaries and Allowances of the Speaker and Deputy Speaker Act, 1964.

BE it enacted by the Legislative Assembly of Goa, Daman and Diu in the Twenty-fifth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Goa, Daman and Diu Salaries and Allowances of the Speaker and Deputy Speaker (Amendment) Act, 1974.

(2) It shall come into force at once.

2. *Amendment of section 3.*—In sub-section (2) of section 3 of the Goa, Daman and Diu Salaries and Allowances of the Speaker and Deputy Speaker Act, 1964, for the words “one hundred rupees”, the words “one hundred and fifty rupees” shall be substituted. (4 of 1965)

Statement of Objects and Reasons

At present the Speaker of the Legislative Assembly is being paid a sumptuary allowance of one hundred rupees per month. The Speaker has to entertain many dignitaries and important persons who visit him. In view of this it is proposed to increase the sumptuary allowance to one hundred and fifty rupees per month.

The present Bill seeks to achieve this.

Financial Memorandum

The Bill involves a recurring expenditure of six hundred rupees per year.

Panaji, PRATAPSING RANE
1st March, 1974. Minister for Legislative Affairs

Assembly Hall, B. M. MASURKAR
Panaji. Secretary to the Legislative
5th March, 1974. Assembly of Goa, Daman and Diu.

Administrator's recommendation under Section 23 of the Government of Union Territories Act, 1963.

In pursuance of sub-sections (1) and (3) of Section 23 of the Government of Union Territories Act, 1963, the Administrator of Goa, Daman and Diu has recommended to the Legislative Assembly of Goa, Daman and Diu the introduction and consideration of the Goa, Daman and Diu Salaries and Allowances of the Speaker and Deputy Speaker (Amendment) Bill, 1974.

(Annexure to Bill No. 3 of 1974)

The Goa, Daman and Diu Salaries and Allowances of the
Speaker and Deputy Speaker (Amendment) Bill, 1974

The Goa, Daman and Diu Salaries and Allowances of the
Speaker and Deputy Speaker Act, 1964

(Act No. 4 of 1965)

3. *Salary and Allowances of the Speaker.*—(1) The Speaker shall be paid such salary, conveyance allowance and travelling and daily allowances and shall be entitled to such amenities regarding residence and motor car, as are provided for a Minister other than the Chief Minister and a Deputy Minister under the Goa, Daman and Diu Salaries and Allowances of Ministers Act, 1964.

(2) The Speaker shall also be paid a sumptuary allowance of one hundred Rupees per month.

Assembly Hall, B. M. MASURKAR
Panaji, Secretary to the Legislative Assembly
5th March, 1974 of Goa, Daman and Diu.

Notification

LA/B/7/447/74

The following Bill which was introduced in the Legislative Assembly of Goa, Daman and Diu on 12th March, 1974 is hereby published for general information in pursuance of the provisions of Rule 136 of the Rules of Procedure and Conduct of Business of the Legislative Assembly.

The Goa, Daman and Diu Salaries and Allowances of members
of the Legislative Assembly (Amendment) Bill, 1974

(Bill No. 4 of 1974)

A
BILL

further to amend the Goa, Daman and Diu Salaries and Allowances of Members of the Legislative Assembly Act, 1964.

BE it enacted by the Legislative Assembly of Goa, Daman and Diu in the Twenty-fifth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Goa, Daman and Diu Salaries and Allowances of Members of Legislative Assembly (Amendment) Act, 1974.

(2) It shall come into force at once.

2. *Amendment of section 3.*—In section 3 of the Goa, Daman and Diu Salaries and Allowances of Members of the Legislative Assembly Act, 1964 (2 of 1965), for the words “two hundred and fifty rupees”, the words “three hundred and fifty rupees” shall be substituted.

Statement of Objects and Reasons

The salary payable to the Members of the Legislative Assembly has remained at two hundred and fifty rupees per month from the date of inception of the Assembly, even though the cost of living has substantially increased in the recent years. Taking into consideration this aspect it is proposed to increase the salary of members to three hundred and fifty rupees per month.

The present Bill seeks to achieve this.

Financial Memorandum

The increase in the salary of each member will be one hundred rupees per month. The Bill when enacted would involve an annual recurring expenditure of rupees thirty thousand approximately.

Panaji, PRATAPSING RANE
1st March, 1974. Minister for Legislative Affairs

Assembly Hall, B. M. MASURKAR
Panaji. Secretary to the Legislative
5th March, 1974. Assembly of Goa, Daman and Diu.

Administrator's recommendation under Section 23 of the Government of Union Territories Act, 1963.

In pursuance of sub-sections (1) and (3) of Section 23 of the Government of Union Territories Act, 1963, the Administrator of Goa, Daman and Diu has recommended to the Legislative Assembly of Goa, Daman and Diu the introduction and consideration of the Goa, Daman and Diu Salaries and Allowances of Members of the Legislative Assembly (Amendment) Bill, 1974.

(Annexure to Bill No. 4 of 1974)

The Goa, Daman and Diu Salaries and Allowances of the Members of the Legislative Assembly (Amendment) Bill, 1974

The Goa, Daman and Diu Salaries and Allowances of the Members of the Legislative Assembly Act, 1964

(Act No. 2 of 1965)

3. Salaries and daily allowances. — A member shall be entitled to receive salary at the rate of two hundred and fifty rupees per month during his term of office and shall also be entitled to received daily allowances at the rate of twenty five rupees for each day during any period of residence on duty:

Provided that the member shall not be entitled to daily allowance for any day during the period of residence on duty unless he has, except due to illness, attendend such session or meeting if any, on that day.

Explanation: — Daily allowance shall be admissible to a member for each day of residence on duty irrespective of the time of his arrival or departure.

Assembly Hall, B. M. MASURKAR
Panaji, Secretary to the Legislative Assembly
5th March, 1974. of Goa, Daman and Diu.

Notification

LA/B/7/448/74

The following Bill which was introduced in the Legislative Assembly of Goa, Daman and Diu on 12th March, 1974 is hereby published for general information in pursuance of the provisions of Rule 136 of the Rules of Procedure and Conduct of Business of the Legislative Assembly.

The Goa, Daman and Diu Salaries and Allowances of Ministers (Amendment) Bill, 1974

(Bill No. 5 of 1974)

A
BILL

further to amend the Goa, Daman and Diu Salaries and Allowances of Ministers Act, 1964.

BE it enacted by the Legislative Assembly of Goa, Daman and Diu in the Twenty-fifth Year of the Republic of India as follows: —

1. *Short title and commencement.* — (1) This Act may be called the Goa, Daman and Diu Salaries and Allowances of Ministers (Amendment) Act, 1974.

(2) It shall come into force at once.

2. *Amendment of section 3.* — In section 3 of the Goa, Daman and Diu Salaries and Allowances of Ministers Act, 1964, (3 of 1965) for sub-section (2), the following sub-section shall be substituted, namely: —

“(2) Every Minister, other than a Deputy Minister, shall also be entitled to a sumptuary allowance as laid down below, namely: —

(a) Chief Minister Rs. 200/- per month.

(b) Other Ministers Rs. 100/- per month”.

Statement of Objects and Reasons

At present the Minister other than the Chief Minister, is not entitled to any sumptuary allowance. A Minister, during the tenure of his office has to entertain many visiting dignitaries and important citizens when they call on him. Hence it is proposed to make a provision in the Goa, Daman and Diu Salaries and Allowances of Ministers Act, 1964 to enable a Minister to draw a nominal sumptuary allowance of one hundred rupees per month.

The presnt Bill seeks to achieve this.

Financial Memorandum

The Bill involves recurring expenditure of Rs. 3600/- per year.

Panaji, PRATAPSING RANE
28th February, 1974. Minister for Legislative Affairs

Assembly Hall, B. M. MASURKAR
Panaji, Secretary to the Legislative
6th March, 1974. Assembly of Goa, Daman and Diu.

Administrator's recommendation under section 23 of the Government of Union Territories Act, 1963.

In pursuance of clause (b) of sub-section (1) of Section 23 of the Government of Union Territories Act, 1963, the Administrator of Goa, Daman and Diu has recommended to the Legislative Assembly of Goa, Daman and Diu the introduction and consideration of the Goa, Daman and Diu Salaries and Allowances of Ministers (Amendment) Bill, 1974.

(Annexure to Bill No. 5 of 1974)

The Goa, Daman and Diu Salaries and Allowances of Ministers Act, 1964

The Goa, Daman and Diu Salaries and Allowances of Ministers Act, 1964
(Act No. 3 of 1965)

«3. *Salary and Sumptuary Allowance.*—(1) There shall be paid to each Minister a monthly salary as laid down below, namely:—

1. Minister other than Deputy Minister Rs. 1000.00/-
2. Deputy Minister Rs. 700.00/-

(2) The Chief Minister shall also be entitled to a sumptuary allowance of two hundred rupees per month.»

Assembly Hall, B. M. MASURKAR
Panaji, Secretary to the Legislative Assembly
6th March, 1974. of Goa, Daman and Diu.

Notification

LA/B/7/449/74

The following Bill which was introduced in the Legislative Assembly of Goa, Daman and Diu on 12th March, 1974 is hereby published for general information in pursuance of the provisions of Rule 136 of the Rules of Procedure and Conduct of Business of the Legislative Assembly.

The Goa, Daman and Diu Sales Tax (Validation of Appointments and Proceedings) Bill, 1974

(Bill No. 7 of 1974)

A BILL

to validate appointments of certain officers under the Goa, Daman and Diu Sales Tax Act, 1964, and to validate proceedings taken by such officers under the Act.

BE it enacted by the Legislative Assembly of Goa, Daman and Diu in the Twenty-fifth Year of the Republic of India, as follows:—

1. *Short title.*—This Act may be called the Goa, Daman and Diu Sales Tax (Validation of Appointments and Proceedings) Act, 1974.

2. *Definitions.*—In this Act,—

(a) “Administrator” means the Administrator of the Union territory of Goa, Daman and Diu appointed by the President under article 239 of the Constitution;

(b) “appointment” means appointment as—

- (a) Commissioner of Sales Tax; or
- (b) Assistant Commissioner of Sales Tax; or
- (c) Sales Tax Officer; or
- (d) Assistant Sales Tax Officer; or
- (e) Sales Tax Inspector.

3. *Validation of appointments, assessments, etc.*—Notwithstanding anything contained in any judgement, decree, or order of any court, tribunal or other authority,—

(a) no appointment of any person made or purporting to have been made under or for the purposes of the Goa, Daman and Diu Sales Tax Act, 1964 4 of 1964.

(hereinafter referred to as the principal Act), before the commencement of this Act, shall be deemed to be illegal or invalid, or ever to have been illegal or invalid, merely on the ground that such appointment was not made in accordance with the provisions of section 3 of the principal Act, or on the ground that such appointment was not made under that section, or on both those grounds; and

(b) no assessment, re-assessment, levy or collection of any tax made or purporting to have been made under the principal Act, before the commencement of this Act, and no jurisdiction exercised, no order made or no other act or proceeding or thing done or taken by, or before, a person referred to in clause (a) in relation to such assessment, re-assessment, levy or collection, shall be deemed to be illegal or invalid, or ever to have been illegal or invalid, merely on the ground that such jurisdiction was exercised or such order had been made or such other act or proceeding or thing had been done or taken by, or before, a person whose appointment was not made in accordance with or under the provisions of section 3 of the principal Act, and accordingly—

(i) all appointments made or purporting to have been made under or for the purposes of the principal Act, before the commencement of this Act, shall, for all purposes, be deemed to be, and to have been, made in accordance with law;

(ii) the jurisdiction exercised, orders made and all other acts, proceedings or things done or taken by the Administrator or by a person whose appointment had been made as aforesaid, or by any other officer of Government, or by any tribunal or other authority, in connection with the said appointments or in connection with the assessment, re-assessment, levy or collection of tax, under the principal Act, shall, for all purposes, be deemed to be and to have been exercised, made, done or taken in accordance with law; and

(iii) no suit or other proceedings shall be maintained or continued in any court or before any tribunal or other authority whatsoever on the ground that any such appointment was illegal or invalid or any such jurisdiction, order or other act, proceeding or thing was not exercised, made, done or taken in accordance with law.

4. *Repeal and Saving.* — (1) The Goa, Daman and Diu Sales Tax (Validation of Appointments and Proceedings) Ordinance, 1973 (1 of 1973) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance so repealed shall be deemed to have been done or taken under this Act, as if this Act had commenced on the 11th day of October, 1973.

Statement of Objects and Reasons

1. Section 3 of the Goa, Daman and Diu Sales Tax Act, 1964 requires that for carrying out the purposes of the Act, the Government may appoint a person to be Commissioner of Sales Tax, and such other persons to assist him as it thinks fit. However, several officers for assisting the Commissioner of Sales Tax were appointed not under the said Section 3 but under the Service Rules. In some Writ petitions filed before the Court of the Judicial Commissioner, Goa, Daman and Diu, such appointments and the assessments of Sales Tax made by the officers so appointed were challenged. The Goa, Daman and Diu Sales Tax (Validation of Appointments and Proceedings) Ordinance, 1973 was, therefore, promulgated by the Administrator of Goa, Daman and Diu, to validate such appointments of the officers and the proceedings taken by such officers under the aforesaid Goa, Daman and Diu Sales Tax Act, 1964.

2. This Bill seeks to replace the said Ordinance.

Financial Memorandum

No Financial commitment is involved in the Bill.

Panaji, 2nd March, 1974
S. G. KAKODKAR
Chief Minister

Assembly Hall, 8th March, 1974.
B. M. MASURKAR
Secretary to the Legislative Assembly of Goa, Daman and Diu

Administrator's recommendation under section 23 of the Government of Union Territories Act, 1963.

In pursuance of clause (a) of sub-section (1) of Section 23 of the Government of Union Territories Act, 1963, the Administrator of Goa, Daman and Diu has recommended to the Legislative Assembly of Goa, Daman and Diu the introduction and consideration of the Goa, Daman and Diu Sales Tax (Validation of Appointments and Proceedings) Bill, 1974.

Government Press

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